

# MEMO ENDORSED

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June 27, 2022

VIA ECF

The Honorable Valerie E. Caproni  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: ***United States v. Michael Rose, S1 21 Cr. 224 (VEC)***

Dear Judge Caproni:

We represent defendant Michael Rose in the above-captioned matter. We write to request a brief adjournment of sentencing, which is currently scheduled for Tuesday, June 28, 2022 at 10:30 am. We contacted Chambers on Thursday morning to notify the Court that due to multiple COVID diagnoses, Mr. Rose's counsel would be unable to guarantee clearing the Court's protocols in time for sentencing. Accordingly, Chambers advised the parties that the Court would be available to reschedule the sentencing for Thursday, July 7, 2022 at 3:30 pm, subject to the government's availability. The government confirmed its availability on Friday afternoon.

Thank you for the Court's accommodation.

Respectfully submitted,

  
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Samidh Guha

cc: AUSA Samuel Adelsberg (via ECF)

Application GRANTED. The sentencing hearing currently scheduled for Tuesday, June 28, 2022, at 10:30 a.m. is hereby ADJOURNED until **July 7, 2022, at 3:30 p.m.**

The Court notes that Defendant's sentencing submission is incomplete: the letter from Arthur Forman attached to the submission in Exhibit A, *see* Dkt. 50-1 at 29-30, appears to be missing at least one page. Defense counsel is directed to re-file the letter on the Docket.

Finally, although the parties have stipulated to the guidelines calculation, the Government is directed to file a letter brief, not to exceed three pages, why a loss enhancement pursuant to U.S.S.G. § 2B1.1(b)(1)(G) is appropriate in this case not later than **July 1, 2022**.

SO ORDERED.



6/27/22

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE